

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION

KATHY A. BOOKOUT

VS.

MICHAEL J. ASTRUE

§  
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§  
§

CIVIL ACTION NO. 4:06-CV-294-Y

ORDER ADOPTING MAGISTRATE JUDGE'S  
FINDINGS, CONCLUSIONS, AND RECOMMENDATION

On September 10, 2007, the United States magistrate judge issued his proposed findings, conclusions, and recommendation ("findings and conclusions") in the above-styled and -numbered cause, and gave all parties until October 1, 2007, to serve and file with the Court written objections to the proposed findings and conclusions of the magistrate judge. The Court has not received any written objections. As a result, in accordance with 28 U.S.C. § 636(b)(1), *de novo* review is not required. Nevertheless, the Court has reviewed the magistrate judge's findings and conclusions for plain error and has found none. After review, the Court ADOPTS the findings and conclusions of the magistrate judge as the findings and conclusions of this Court. Accordingly, the decision of the Commissioner is REVERSED and the action REMANDED, pursuant to the fourth sentence of 42 U.S.C. § 405(g),<sup>1</sup> for further administrative proceedings for the reasons set forth in the magistrate judge's findings and conclusions.

SIGNED October 16, 2007.



TERRY R. MEANS

UNITED STATES DISTRICT JUDGE

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<sup>1</sup> The fourth sentence of 42 U.S.C. 405(g) states that the "court shall have power to enter, upon the pleadings and transcript of the record, a judgment affirming, modifying, or reversing the decision of the Secretary, with or without remanding the cause for a rehearing." See *Melkonyan v. Sullivan*, 501 U.S. 89 (1991).